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United States Department of Agriculture.

SERVICE AND REGULATORY ANNOUNCEMENTS.¹

INSECTICIDE AND FUNGICIDE BOARD.

No. 43.

N. J. 801-825.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 24, 1923.]

NOTICES OF JUDGMENT UNDER THE INSECTICIDE ACT OF 1910.

[Given pursuant to section 4 of the Insecticide Act of 1910.]

501. Misbranding of "C. F. Emmett's Specific Remedy." U. S. v. I. L. Lyons & Co. Ltd. Plea of guilty. Fine, \$10. (I. & F. No. 972. Dom. No. 14918.)

On June 24, 1921, the United States Attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the said district an information against the I. L. Lyons and Company, Ltd., a corporation, New Orleans, La., alleging the shipment by defendant on or about April 2, 1919, from the State of Louisiana into the State of Tennessee, of a quantity of "C. F. Emmett's Specific Remedy," which was a misbranded insecticide, within the meaning of the Insecticide Act of 1910.

Misbranding of the article was alleged in the information in that the statements, to wit, "C. F. Emmett's Specific Remedy" contains 66 2/3 per cent alcohol * * * For Bots and Colic in Horses, Mules & Cows. * * * Dose. A teaspoonful on a tablespoonful of sugar and placed upon the tongue, or a teaspoonful in a wine glass of water and injected into the mouth. Repeat every ten minutes until relieved, not exceeding five doses. * * * In any mild case of colic, give 15 or 20 drops on the tongue every 15 minutes until relieved, not exceeding 8 doses," borne on the labels affixed to the bottles and cartons containing the article were false and misleading, and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements represented that the article did contain alcohol in the proportion of 66 2/3 per centum; that the article was a specific remedy for bots and colic in horses, mules and cows; that the article, when used as directed, would be effective in the treatment of all types and varieties of colic, and would be effective against bots in horses, mules and cows; whereas, in fact and in truth, the article did contain alcohol in a proportion less than 66 2/3 per centum; the article was not a specific remedy for bots and colic in horses, mules and cows; and the article, when used as directed, would not be effective in the treatment of all types and varieties of colic, and would not be effective against bots in horses, mules and cows.

Misbranding of the article was alleged further in that it consisted completely of substances which, when the article is used as directed by the

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statements borne on the labels affixed to the bottles containing the article, were and are inert substances, that is to say, substances that do not prevent, destroy, repel or mitigate insects, to wit, bots in horses, mules and cows, and the names and percentage amounts of each of the said inert substances so present in the article were not stated plainly and correctly on each or any label affixed to each or any of the bottles containing the article or on each or any of the cartons containing the bottles.

On December 6, 1921, a plea of guilty to the information having been filed, the Court imposed a fine of \$10.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

802. Misbranding of "Vermifuge for Horses and Cattle". U. S. v. McDaniel Stock Remedy Co. Plea of guilty. Fine, \$25.00 and costs. (I. & F. No. 1005. Dom. No. 15097.)

On June 4, 1921, the United States Attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against Meyer Bros. Drug Co., a corporation, St. Louis, Mo., alleging the shipment by defendant, on or about May 22, 1919, from the State of Missouri into the State of Utah, of a quantity of "Vermifuge for Horses and Cattle," which was a misbranded insecticide, within the meaning of the Insecticide Act of 1910. On November 30, 1921, the information was dismissed as to said Meyer Bros. Drug Co. and the McDaniel Stock Remedy Company, Pocatello, Idaho, was substituted.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "A convenient and effective treatment. This formula is the result of a course of treatment that has been employed for years with success as an eradicator for round worms, needle or pin worms, bots, sucking worms and tape worms," borne on labels affixed to the packages, were false and misleading, and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements represented that the said article, when used as directed, would be an effective treatment and successful eradicator for round worms, needle or pin worms, bots, sucking worms and tape worms; whereas, in fact and in truth, the article, when used as directed, would not be an effective treatment and successful eradicator of round worms, needle or pin worms, bots, sucking worms and tape worms.

Misbranding of the article was alleged further, in that the article did contain arsenic in combination or combinations thereof, and the total amount of arsenic present in the article, expressed as per centum of metallic arsenic, was not stated on each or any label borne on or affixed to each and every one of the packages.

Misbranding of the article was alleged further in that the article did contain arsenic in combination or combinations thereof, and the amount of arsenic present in the article in water-soluble forms, expressed as per centum of metallic arsenic, was not stated on each or any label borne on or affixed to each and every one of the packages.

Misbranding of the article was alleged further in that the article did consist partially of inert substances, or ingredients, to wit, substances or ingredients other than arsenic, copper sulphate and iron sulphate, which said inert substances or ingredients do not prevent, destroy, repel or mitigate insects, and the name and percentage amount of each of the said inert substances or ingredients so present in the article, were not stated plainly and correctly, or at all, on each or any label borne on or affixed to each or any of the packages; nor, in lieu of the names and percentage amounts of the inert substances, or ingredients, were the names and percentage amounts of each and every substance or ingredient of the article having insecticidal properties, and the total percentage of the inert substances or ingredients so present in the article, stated plainly and correctly on each or any label affixed to each or any of the packages.

On November 30, 1921, a plea of guilty having been entered to the information, the Court imposed a fine of \$25.00 and costs.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

803. Misbranding of "M and D's Louse Killer" and "Allan's Louse Killer". U. S. v. Allan-Pfeiffer Chemical Company. Plea of guilty. Fine, \$75.00 and costs. (I. & F. No. 1038. Dom. Nos. 15107 and 15613.)

On July 18, 1921, the United States Attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the said district, an information against

Allan-Pfeiffer Chemical Company, a corporation, St. Louis, Mo., alleging shipment by the defendant on or about March 26 and May 16, 1919, from the State of Missouri into the States of Indiana and Mississippi, of quantities of "M and D's Louse Killer" and "Allan's Louse Killer," which were misbranded insecticides and fungicides within the meaning of the Insecticide Act of 1910. A previous conviction of the defendant under the said act was alleged in the information.

Misbranding of "M and D's Louse Killer" was alleged in the information for the reason that the statements, to wit, "As a disinfectant or deodorizer, sprinkle place infected once or twice a week, or oftener if necessary, till germs are killed * * * As a disinfectant it has no equal * * * Used as a disinfectant in poultry houses, cess pools, stables, pig pens, water closets and garbage boxes. It will prevent disease and destroy all germs. * * * It kills all germs of cholera, roup and other diseases of fowls", borne on labels affixed to the cans containing the article, were false and misleading, and by reason of said statements, the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements represented that the article, when used as directed, would kill all germs; that the article was superior to all others as a disinfectant; that the article, when used as directed, would prevent all disease and would destroy all germs in poultry houses, cess pools, stables, pig pens, water closets and garbage boxes; and that the article, when used as directed, would kill all germs of cholera, roup and other diseases of fowls; whereas, in fact and in truth, the article, when used as directed, would not kill all germs; the article was not superior to all others as a disinfectant; the article, when used as directed, would not prevent all disease and would not destroy all germs in poultry houses, cess pools, stables, pig pens, water closets and garbage boxes; nor would the said article, when used as directed, kill all germs of cholera, roup and other diseases of fowls.

Misbranding of "M and D's Louse Killer" was alleged further, in that the article did consist partially of inert substances, to wit, substances other than naphthalene, lime, sulphur and ferrous sulphate, which inert substances do not prevent, destroy, repel or mitigate insects or fungi, and the name and percentage amount of each and every one of said inert substances or ingredients so present in the article were not stated plainly and correctly on each or any label affixed to each or any of the cans containing the article; nor, in lieu of the names and percentage amounts of said inert substances or ingredients, were the names and percentage amounts of each and every substance or ingredient of the article having insecticidal or fungicidal properties, and the total percentage of the inert substances or ingredients so present in the article, stated plainly and correctly on each or any label affixed to each or any of the cans containing the article.

Misbranding of "Allan's Louse Killer" was alleged in the information for the reason that the statements, to wit, "For fowls, see that the nests are well covered with the Louse Killer, repeat this weekly until the lice have all been killed * * * Louise Killer means sure death to * * * and other vermin," borne on labels affixed to the cans, were false and misleading, and by reason of the said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements represented that the treatment of the nests of fowls with the said article would be an effective remedy against lice, and that the article, when used as directed, would be an effective remedy against all vermin other than lice and fleas; whereas, in truth and in fact, the treatment of the nests of fowls with the article would not be an effective remedy against lice, and the article, when used as directed, would not be an effective remedy against all vermin other than lice and fleas.

On November 14, 1921, counts 2, 4 and 6 of the information were dismissed upon motion of the United States Attorney, and upon a plea of guilty to the charges contained in counts 1, 3 and 5, the Court imposed a fine of \$75.00 and costs.

C. W. PUGSLEY,
Acting Secretary of Agriculture.

504. Adulteration and misbranding of "Glidden Dry Powdered Bordeaux Mixture." U. S. v. The Glidden Co. Plea of guilty. Fine, \$25.00. (I. & F. No. 1044. Dom. No. 15908.)

On December 13, 1921, the United States Attorney for the District of Minn., acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Glidden Company, a corporation, having a place of business at St. Paul, Minn., alleging the

shipment by defendant on or about May 6, 1920, from the State of Minnesota into the State of North Dakota, of a quantity of "Glidden Dry Powdered Bordeaux Mixture," which was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

Adulteration of the article was alleged in the information in that the statements, to wit, "Copper (Cu) (not less than) * * * 22.0% Inert Ingredients (not more than) * * * 78.0%," borne on the labels affixed to the cartons containing the articles, purported and professed that the standard and quality of the article were such that the article did contain copper in combinations thereof, equivalent to and expressed as metallic copper, in a proportion of not less than 22 per centum, and did contain inert ingredients, that is to say, ingredients or substances that do not prevent, destroy, repel or mitigate fungi, in the proportion of not more than 78 per centum; whereas, the strength and purity of the article fell below the professed standard and quality under which it was sold, in that, in truth and in fact, the article did contain copper in combinations thereof, equivalent to and expressed as metallic copper, in a proportion of less than 22 per centum, and did contain inert ingredients, that is to say, ingredients or substances that do not prevent, destroy, repel or mitigate fungi, in a proportion greater than 78 per centum.

Misbranding of the article was alleged for the reason that the statements quoted above and borne on the labels affixed to the cartons containing the article, were false and misleading, and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that the statements represented and professed that the article did contain copper in combinations thereof, equivalent to and expressed as metallic copper, in a proportion of not less than 22 per centum, and did contain inert ingredients, that is to say, ingredients or substances that do not prevent, destroy, repel or mitigate fungi, in a proportion of not more than 78 per centum; whereas, in fact and in truth, the article did contain copper in combinations thereof, equivalent to and expressed as metallic copper, in a proportion less than 22 per centum, and did contain inert ingredients in a proportion greater than 78 per centum.

On December 13, 1921, a plea of guilty to the information having been entered, the court imposed a fine of \$25.00.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

805. Adulteration and misbranding of "Grasselli Calcium Arsenate Powder". U. S. v. three barrels of "Grasselli Calcium Arsenate Powder". Decree by consent, providing for release of product under bond. (I. & F. No. 1046. S. No. 105.)

On May 19, 1921, the United States Attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure for condemnation and forfeiture of three barrels of "Grasselli Calcium Arsenate Powder". It was alleged in the libel that the article had been shipped from the State of Indiana into the State of Alabama, and that having been so transported it remained unsold in the original and unbroken packages at Grasselli, Alabama, and that it was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

Adulteration of the article was alleged in the libel in that the article was intended for use as a dust on vegetation, to wit, the cotton plant, and the article did contain a substance, to wit, arsenic in water-soluble forms, which substance, when the article is applied to the cotton plant in the method and manner and in the strength and proportion as directed by statements on the labels, would be injurious to such vegetation.

Misbranding of the article was alleged in that the statement, to wit, "Water-Soluble Arsenic as Metallic Arsenic not over 0.75%," borne on the labels affixed to the barrels containing the article, was false and misleading, and by reason of the said statement the article was labeled and branded so as to deceive and mislead the purchaser, in that the said statement represented and professed that the article did contain arsenic in water-soluble forms in the proportion of not more than 0.75 per centum; whereas, in fact and in truth, the article did contain arsenic in water-soluble forms in a proportion much greater than 0.75 per centum.

On August 17, 1921, the Grasselli Chemical Company having a place of business at Grasselli, Indiana, and at Grasselli, Alabama, having admitted the allegations in the libel, the court entered a judgment ordering that the product

should be released to the said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200.00, in conformity with Section 10 of the Act.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

806. Misbranding of "Itsa." U. S. v. Maurice Shapiro (Shapiro Chemical Works). Plea of guilty. Fine, \$50. (I. & F. No. 1058. Dom. No. 15916.)

On December 1, 1921, the United States Attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the said District, an information against Maurice Shapiro, trading under the name and style of Shapiro Chemical Works, Lebanon, Pa., alleging shipment by said defendant on or about June 14, 1920, from the State of Pennsylvania into the State of South Dakota, of a quantity of "Itsa," which was a misbranded insecticide, within the meaning of the Insecticide Act of 1910.

Misbranding of the article was alleged in the information in that the statements, to wit, "ITSA Fly and Bug Exterminator * * * We recommend it for exterminating ROACHES, FLIES, BED BUGS, MOSQUITOES, CHICKEN LICE, FLEAS AND ALL OTHER KINDS OF INSECTS * * * Sure Death to All Insects * * * For Plants and Flowers—Place tablespoonful in pint of tepid water and spray," borne on the labels affixed to the packages, were false and misleading, and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements purported and represented that the article, when used as directed, would be an effective remedy against all flies, all bugs, all kinds of insects other than roaches, flies, bed bugs, mosquitoes, chicken lice and fleas; would be sure death to all insects on plants and flowers; and would exterminate all flies, all bugs and all other kinds of insects; whereas, in fact and in truth, the article, when used as directed, would not be an effective remedy against all flies, all bugs, and all kinds of insects other than roaches, flies, bed bugs, mosquitoes, chicken lice, or fleas; would not be sure death to all insects on plants and flowers; nor would it exterminate all flies, all bugs and all other kinds of insects.

Misbranding of the article was alleged further in that the statements, to wit, "Itsa Fly and Bug Exterminator * * * Burn Itsa to Destroy Insect Pests * * * Itsa Sure Death to all Bugs * * * Itsa Non-Poisonous Bug Cure * * * Sure Death to * * * Ticks on Cattle," borne on the cartons containing the packages of the article, were false and misleading, and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements purported and professed that the article, when used as directed, would be an effective remedy against all flies, all bugs and all other insect pests; would be effective against ticks on cattle; and would exterminate all flies and all bugs; whereas, in fact and in truth, the article, when used as directed, would not be an effective remedy against all flies, all bugs and all other insect pests; would not be effective against ticks on cattle; nor would it exterminate all flies and all bugs.

Misbranding of the article was alleged further in that the article did consist partially of an inert substance, to wit, pyrethrum stem tissues, which substance does not prevent, destroy, repel or mitigate insects, and the name and percentage amount of said inert substance so present in the article, were not stated plainly and correctly, or at all, on each or any label affixed to each or any of the packages containing the article; nor, in lieu of the name and percentage amount of the said inert substance or ingredient, were the names and percentage amounts of each and every substance or ingredient of the article having insecticidal properties, and the total percentage of the inert substance so present in the article, stated plainly and correctly, or at all, on each or any label affixed to each or any of the packages containing the article.

On December 7, 1921, a plea of guilty to the information was filed and the Court imposed a fine of \$50.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

807. Misbranding of "Gold Coin Worm Powder." U. S. v. Christian A. Lund (Gold Coin Chemical Works). Plea of guilty. Fine, \$10. (I. & F. No. 1064. Dom. No. 15077.)

On December 13, 1921, the United States Attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the said District an information against Chris-

tian A. Lund, trading under the name and style of Gold Coin Chemical Works, St. Paul, Minnesota, alleging the shipment by defendant on or about February 26, 1919, from the State of Minnesota into the State of Washington, of a quantity of "Gold Coin Worm Powder," which was a misbranded insecticide, within the meaning of the Insecticide Act of 1910.

Misbranding of the article was alleged in the information in that the statements, to wit, "GOLD COIN WORM POWDER, The World's Standard Worm Expeller, * * * Carefully prepared from the following ingredients and none others: CHENOPODIUM (Am. Worm Seed), SANTONICA (Lev. Worm Seed), PEPO (Pumkin Seed), PODOPHYLLUM (Mandrake), SULPHUR (Sublimed), ALCE (Aloes), CARBO LIONI (Charcoal), FOENICULUM (Fennel), SODIUM CHLORIDE (Salt), MALE FERN CULVERS ROOT (Lep-tandra), SPIGELIA (Pink Root), QUASSIA ZINGIBER (Ginger), GIN-CHONA (Peruvian Bark), GENTIAN. All of the above drugs are specially ground and are scientifically prepared and mixed in our own laboratories with finely ground flaxseed meal, kaffir corn, barley, corn, wheat and other grains. * * * FOR HORSES: Give one tablespoonful 'Gold Coin Worm Powder' with the feed night and morning. * * * Give * * * bran mash * * * continue to give one tablespoonful 'Worm Powder' * * * until all worms disappear. FOR COLTS * * * continue * * * until all worms disappear. CATTLE: The same dose and directions as for horses. * * * 'We get Gold Coin Worm Powder. It keeps us free from worms.' * * * This preparation is used for expelling worms and bots from horses, colts, cattle, sheep and hogs. As a remedy for this purpose it has great renown. * * * IT PREVENTS WORMS. As a preventative for worm and bots. 'Gold Coin Worm Powder' is the BEST in the world. Its tonic action * * * keeps the internal organs in such healthy condition that worms cannot get foothold. * * * To prevent worms in healthy animals * * * DON'T LOSE MONEY. * * * 'Gold Coin Worm Powder' makes extra money for you by keeping your animals free from worms. * * * WORMS IN HOGS. Gold Coin Worm Powder quickly expels all Worms from Hogs. TO EXPEL WORMS: Give each hog * * * 'Gold Coin Worm Powder' and use * * * 'Gold Coin Hog Tonic' * * * in their regular feed, and if your hogs have worms you will find the worms all over the hog yard. * * * It will keep the hogs free from worms * * * 'Gold Coin Worm Powder' * * * as well as 'Worm Expeller.' It helps ward off contagious diseases. * * * WORMS IN SHEEP. Gold Coin Worm Powder quickly expels all Worms from Sheep * * * It will pay every Sheep Raiser to * * * give some to the sheep * * * to see that his flock is free from worms. TO EXPEL WORMS * * * TO PREVENT WORMS * * * borne on the labels affixed to the packages of the article, were false and misleading, and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements purported and represented that the article was then and there the world's standard worm expeller; that the article did contain all of the ingredients aforesaid and none other; that the article, when used as directed, would be effective in expelling worms from horses, colts and cattle; would keep horses and colts free from worms; would be effective in expelling worm and bots from horses, colts, cattle, sheep and hogs and that the article was an effective remedy for worms and bots in horses, colts, cattle, sheep and hogs; was a preventative for worms and bots; would keep internal organs of animals in a healthy condition; would prevent worms in healthy animals and would keep animals free from worms; would quickly expel, and would be effective against, all worms in hogs, would keep them free from worms, would be effective as a worm expeller and would help ward off contagious diseases; would quickly expel all worms from sheep, would keep sheep free from worms, would expel worms from, and would prevent worms in, sheep; whereas, in fact and in truth, the article was not the world's standard worm expeller; the article did not contain all of the ingredients aforesaid, and the article did contain other ingredients not stated on the labels; the article, when used as directed, would not be effective in expelling worms from horses, colts and cattle; would not keep horses and colts free from worms; would not be effective in expelling worms and bots from horses, colts, cattle, sheep and hogs, and the article was not an effective remedy for worms and bots in horses, colts, cattle, sheep and hogs; the article was not a preventative for worms and bots and would not keep the internal organs of animals in a healthy condition, would not prevent worms in healthy animals and would not keep animals free from worms; would not quickly expel, and would not be effective against all

worms in hogs, would not keep them free from worms, would not be effective as a worm expeller, and would not help ward off contagious diseases; nor would it quickly expel all worms from sheep or keep sheep free from worms nor expel worms from, or prevent worms in, sheep.

On December 13, 1921, a plea of guilty to the information was filed and the Court imposed a fine of \$10.

C. W. PUGSLEY,
Acting Secretary of Agriculture.

SOS. Adulteration and misbranding of "Sulco—V. B." U. S. v. 190 barrels of "Sulco—V. B." Decree by consent, providing for release of product under bond. (I. & F. No. 1072. S. No. 115.)

On July 26, 1921, the United States Attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 190 barrels of "Sulco—V. B." It was alleged in the libel that the article had been shipped on or about March 29 and March 30, 1921, in three different shipments, by the Cook & Swan Company, Inc., New York, N. Y., from the State of New Jersey into the State of Virginia, and having been so transported it remained unsold in the original unbroken packages at Waynesboro, Virginia, and that it was an adulterated and misbranded insecticide and fungicide, within the meaning of the Insecticide Act of 1910.

Adulteration of the article contained in certain of the said barrels was alleged in the libel in that the statements, to wit, "Fish Oil 10% Alkali 10% Crude Carbolic Acid 5% Inert Ingredients 67%" borne on the labels affixed to said barrels, purported and professed that the standard and quality of the article were such that the article did contain fish oil in the proportion of not less than ten per centum and did contain alkali in the proportion of not less than ten per centum and did contain crude carbolic acid in the proportion of not less than five per centum and did contain inert ingredients, that is to say, substances that do not prevent, destroy, repel or mitigate insects or fungi, in the proportion of not more than sixty-seven per centum; whereas, the strength and purity of the article fell below the professed standard and quality under which it was sold, in that, in fact and in truth, the article did not contain any fish oil, as such, and the article did contain less than the equivalent of ten per centum of fish oil, and did contain less than the equivalent of ten per centum of alkali, and did contain crude carbolic acid in a proportion less than five per centum, and did contain inert ingredients in a proportion greater than sixty-seven per centum.

Misbranding of the article contained in certain of the barrels was alleged in that the statements, to wit, "Fish Oil 10% Alkali 10% Crude Carbolic Acid 5% Inert Ingredients 67%" borne on labels affixed to said barrels were false and misleading, and by reason of said statements, the article was labeled and branded so as to deceive and mislead the purchaser, in that the said statement represented and professed that the article did contain fish oil in a proportion of not less than ten per centum, and did contain alkali in the proportion of not less than ten per centum, and did contain crude carbolic acid in a proportion of not less than five per centum, and did contain inert ingredients, that is to say, substances that do not prevent, destroy, repel or mitigate insects or fungi, in the proportion of not more than sixty-seven per centum; whereas, in fact and in truth, the article did not contain any fish oil, as such, and the article did contain less than the equivalent of ten per centum of fish oil, and did contain less than the equivalent of ten per centum of alkali, and did contain crude carbolic acid in a proportion less than five per centum, and did contain inert ingredients in a proportion greater than sixty-seven per centum.

Misbranding of the article was alleged further in that it did consist partially of inert substances, that is to say, substances other than sodium polysulphide, potassium polysulphide, sodium thiosulphate, phenols and soap, which said inert substances do not prevent, destroy, repel or mitigate insects or fungi, and the names and percentage amounts of each and every one of the inert substances so present in the article, were not stated plainly and correctly on each or any label affixed to each or any of the barrels containing the article; nor, in lieu of the names and percentage amounts of the said inert substances, were the names and the percentage amounts of each and every substance or ingredient of the article having insecticidal or fungicidal properties, and the total percentage of the inert substances so

present in the article, stated plainly and correctly on each or any label affixed to each or any of the barrels containing the article.

On November 29, 1921, James Craig, Waynesboro, Va., owner of the goods, having confessed judgment and having paid the costs of the proceedings and having executed a bond conditioned upon his not selling or disposing of the goods contrary to law, judgment of the court was entered ordering that the product be released to the claimant as provided for by section 10 of the act.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

809. Adulteration and misbranding of "Soluble Pine Compound." U. S. v. 2 Barrels of "Soluble Pine Compound." Default decree of condemnation, forfeiture and destruction. (I. & F. No. 1094. S. No. 135.)

On October 7, 1921, the United States Attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the said District, a libel praying the seizure for condemnation and forfeiture of 2 barrels of "Soluble Pine Compound." It was alleged in the libel that the article had been shipped on or about August 29, 1921, by the Chemical Supply Company, Cleveland, O., from the State of Ohio into the State of Iowa, and that having been so transported it remained unsold at Des Moines, Iowa, and that it was an adulterated and misbranded fungicide, within the meaning of the Insecticide Act of 1910.

Adulteration of the article was alleged in the libel in substance in that the article was sold by the Chemical Supply Company as pine oil disinfectant, a product commonly and generally understood and accepted to mean and to apply to an oil obtained and produced from pine trees, together with soap and water, and by reason of the sale of the article as pine oil disinfectant, the article was represented to consist of an oil obtained and produced from pine trees, together with soap and water; whereas, the strength and purity of the article fell below the professed standard and quality under which it was sold, in that, in fact and in truth, the article did not consist entirely of an oil obtained and produced from pine trees, together with soap and water, but the article did consist of an oil obtained and produced from pine trees, together with soap, water, and mineral oil, and the said mineral oil was substituted in part for the article, to wit, pine oil disinfectant.

Misbranding was alleged in that the article was sold by the Chemical Supply Company as pine oil disinfectant, a product commonly and generally understood and accepted to mean and to apply to an oil obtained and produced from pine trees, together with soap and water, and by reason of the sale of the article as pine oil disinfectant and by reason of the said common and general understanding and acceptance of the words, to wit, "Pine Oil Disinfectant," the article was represented to consist entirely of an oil obtained and produced from pine trees, together with soap and water; whereas, in fact and in truth, the article was not a pine oil disinfectant, but the article was an oil obtained and produced from pine trees, together with soap, water, and mineral oil, and by reason of the sale of the article as pine oil disinfectant, the article was an imitation and was offered for sale under the name of another article, to wit, pine oil disinfectant.

On December 8, 1921, no claimant for the goods having appeared, a decree of condemnation and forfeiture was entered and the goods were ordered destroyed by the United States Marshall.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

810. Adulteration and misbranding of "Soluble Pine Disinfectant." U. S. v. Warren Refining & Chemical Co. (Chemical Supply Co.). Plea of guilty. Fine, \$60.00. (I. & F. No. 777. Dom. No. 14340.)

On January 26, 1920, the United States Attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said District, an information against the Warren Refining & Chemical Co., trading under the style and firm name of Chemical Supply Co., Cleveland, Ohio, alleging the shipment by defendant on or about August 21, 1918, from the State of Ohio into the State of New York, of a quantity of "Soluble Pine Disinfectant," which was an adulterated and misbranded fungicide, within the meaning of the Insecticide Act of 1910.

Adulteration of the article was alleged in the information in that the State-ments, to wit, "Soluble Pine Disinfectant. Inert Matter 8% Water," borne on

the label affixed to the barrel containing the article, did purport and profess that the standard and quality of the article were such that the article did contain inert matter, that is to say, a substance or substances that do not prevent, destroy, repel, or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in the proportion of 8 per centum, and did contain a substance, or substances, which do prevent, destroy, repel or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in the proportion of 92 per centum; whereas, the strength and purity of the article fell below the professed standard and quality, in that, in fact and in truth, the article did contain inert matter in a proportion greater than 8 per centum, and did contain a substance, or substances, which do prevent, destroy, repel or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in a proportion less than 92 per centum.

Adulteration of the article was alleged further in that the said Warren Refining & Chemical Co. did send to the purchaser of the article a certain invoice relating to the article, in which said invoice the article was designated and described as "Soluble Pine Oil Disinfectant," which said words purported and professed that the standard and quality of the article were those of soluble pine oil; whereas, the strength and purity of the article did fall below the professed standard and quality, in that the article was not soluble pine oil, but the article did consist partially of substances other than soluble pine oil, to wit, water and mineral oil.

Misbranding of the article was alleged in the information in that the statements, to wit, "Soluble Pine Disinfectant. Inert matter 8% water," borne on the label affixed to the barrel containing the article, were false and misleading and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements did represent that the article did contain inert matter, to wit, ingredients or substances that do not prevent, destroy, repel or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in the proportion of 8 per centum, and that the article did contain ingredients or substances that do prevent, destroy, repel or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in the proportion of 92 per centum; whereas, in fact and in truth, the article did contain inert matter in a proportion greater than 8 per centum and did contain ingredients or substances that do prevent, destroy, repel or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in a proportion less than 92 per centum.

Misbranding of the article was alleged further in that the said Warren Refining & Chemical Co. did send to the purchaser of the article an invoice wherein the article was described and designated as "Soluble Pine Oil Disinfectant," which said words were false and misleading, and by reason of the said words the article was labeled and branded so as to deceive and mislead the purchaser, in that said words represented that the article was soluble pine oil; whereas, in fact and in truth, the article was not soluble pine oil, but it was an imitation of soluble pine oil and was offered for sale under the name of another article, to wit, soluble pine oil.

Misbranding of the article was alleged further in that it did consist partially of inert substances and ingredients, to wit, water and mineral oil, which said inert substances do not prevent, destroy, repel or mitigate fungi, to wit, pathogenic and putrefactive bacteria, and the names and percentage amounts of each and every one of said inert ingredients so present in the article were not stated plainly and correctly on the label affixed to the barrel containing the article; nor, in lieu of the names and percentage amounts of the said inert ingredients, were the names and percentage amounts of each and every ingredient of the article having fungicidal properties, and the total percentage of the said inert ingredients, so present in the article, stated plainly and correctly on the label affixed to the barrel containing the article.

On January 25, 1922, a plea of guilty to the information having been entered on behalf of the defendant, the Court imposed a fine of \$60.00.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

811. Adulteration and misbranding of "Soluble Pine Disinfectant". U. S. v. Warren Refining and Chemical Co. (Chemical Supply Co.). Plea of guilty. Fine, \$30.00. (I. & F. No. 799. Dom. No. 14354.)

On January 26, 1920, the United States Attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Warren Refining and Chemical Co., a corporation, doing business under the

style and name of Chemical Supply Co., Cleveland, Ohio, alleging shipment by the defendant on or about August 5, 1913, from the State of Ohio into the State of Indiana, of a quantity of "Soluble Pine Disinfectant," which was an adulterated and misbranded fungicide, within the meaning of the Insecticide Act of 1910.

Adulteration of the article was alleged in the information in that the statements, to wit, "Soluble Pine Disinfectant, Inert Matter 8% Water," borne on the labels affixed to the barrels containing the article, did purport and profess that the standard and quality of the article were such that the article did contain inert matter, that is to say, a substance, or substances, that do not prevent, destroy, repel, or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in the proportion of 8 per centum, and did contain a substance, or substances, which do prevent, destroy, repel, or mitigate fungi, in the proportion of 92 per centum; whereas, in fact and in truth, the strength and purity of the article fell below the professed standard and quality, in that the article did contain inert matter in the proportion of more than 8 per centum, and in that the article did contain a substance, or substances, which do prevent, destroy, repel, or mitigate fungi, in the proportion of less than 92 per centum.

Adulteration of the article was alleged further in that the defendant did send to the purchaser of the article a certain invoice relating to the article, in which said invoice the article was designated and described as "Soluble Pine Oil Disinfectant," which said words purported and professed that the standard and quality of the article were those of soluble pine oil; whereas, the strength and purity of the article did fall below the professed standard and quality, in that the article was not soluble pine oil, but the article did consist partially of substances other than soluble pine oil, to wit, water and mineral oil.

Misbranding of the article was alleged in that the statements, to wit, "Soluble Pine Disinfectant, Inert Matter 8% Water," borne on the labels affixed to the barrels containing the article, were false and misleading, and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements represented that the article did contain ingredients, or substances, that do prevent, destroy, repel, or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in the proportion of 92 per centum, and in that the said statements represented that the article did contain inert matter, that is to say, substances, or ingredients, that do not prevent, destroy, repel, or mitigate, fungi, to wit, pathogenic and putrefactive bacteria, in the proportion of 8 per centum; whereas, in fact and in truth, the article did contain ingredients, or substances, that do prevent, destroy, repel, or mitigate, fungi, in a proportion less than 92 per centum, and did contain inert matter in a proportion greater than 8 per centum.

Misbranding of the article was alleged further in that the defendant did send to the purchaser a certain invoice relating to the article, wherein the article was designated and described as "Soluble Pine Oil Disinfectant," which said words were false and misleading, and by reason thereof the article was labeled and branded so as to deceive and mislead the purchaser, in that the said words represented that the article was soluble pine oil; whereas, in fact and in truth, the article was not soluble pine oil, but was an imitation thereof, and was offered for sale under the name of another article, to wit, soluble pine oil.

Misbranding of the article was alleged further in that it did consist partially of inert substances, or ingredients, to wit, water and mineral oil, which said inert substances do not prevent, destroy, repel, or mitigate, fungi, to wit, pathogenic and putrefactive bacteria, and the names and percentage amounts of each and every one of the said inert ingredients so present in the article, were not stated plainly and correctly on the labels affixed to the barrels containing the article; nor, in lieu of the names and percentage amounts of the said inert ingredients, were the names and percentage amounts of each and every ingredient of the article having fungicidal properties, and the total percentage of the said inert ingredients so present in the article, stated plainly and correctly on the labels affixed to the barrels containing the article.

On January 25, 1922, a plea of guilty to the information having been entered on behalf of the defendant, the court imposed a fine of \$30.00.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

S12. Misbranding of "Rudischs Hydro (Cre) Sol". U. S. v. The White Tar Co. Plea of guilty. Fine, \$50.00. (I. & F. No. 862. Dom. No. 14622.)

On September 10, 1920, the United States Attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against The White Tar Company, a corporation, Brooklyn, New York, alleging the shipment by said Company on or about March 13, 1918, from the State of New York into the State of Pennsylvania, of a quantity of "Rudischs Hydro (cre) sol," which was a misbranded insecticide and fungicide within the meaning of the Insecticide Act of 1910.

Misbranding of the article was alleged in the information in that the statements, to wit, "Not poisonous in solution * * * Hydro (cre) sol is unsurpassed in its preventive and curative properties, as well as a destroyer of germs of every infectious disease. * * * Directions for use: To prepare a very serviceable Hydro (cre) sol solution mix: 1 teaspoonful of Hydro (cre) sol in 1 quart of water. 3 Tablespoonfuls Hydro (cre) sol in 1 pail of water. 1 quart of Hydro (cre) sol in 1 barrel (50 gals.) of water. A stronger solution may be applied, if considered necessary. Never use full strength unless to pour into receptacles. Hydro (cre) sol is of immense value in Hospitals, Public and Private Houses, Closets, Railroad Cars, etc., and indeed it should be applied wherever Disease, Infection, Decay, or foul Odors may occur. It will prevent and stamp out: Typhoid Fever, Cholera, Diphtheria, Bubonic Plague, Consumption, Grippe, Small Pox and such like dangerous Diseases. It will relieve and heal: Wounds, Sores, Barber's Itch, Prickly Heat, Chafing, Tender or Sore Feet, Ringworms, Eczema, and in fact all other affections of Scalp and Skin. Use it for External and Internal Washes, also in your Bath. It will keep away Fleas, Flies, Mosquitoes, etc., and will destroy dangerous consequences arising from their Stings or Bites. Use Hydro (cre) sol to disinfect Barns, Stables, Yards, Cesspools, Henneries, etc. It is of the greatest benefit when used on Cattle, Horses, Dogs, Hogs, Sheep and other animals to keep them healthy, or to cure them from diseases like: Scab, Foot Rot, Texas Fever, Hog Cholera, etc. Wash and sprinkle plants with Hydro (cre) sol solution to save them from Lice, Ants, bugs, rot and other afflictions," borne on the labels affixed to the cans containing the article, were false and misleading, and by reason of the said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements represented that the article was not poisonous when in solution, that the article, when used as directed would destroy germs of every infectious disease, would destroy all foul odors, and would prevent and stamp out typhoid fever, cholera, diphtheria, bubonic plague, consumption, grippe, small pox, and all other dangerous, infectious, and contagious diseases; would, when used as directed, be curative of and would relieve, and would heal all kinds of sores, all types and varieties of eczema and all other affections of the scalp and skin; would, when used as directed, keep healthy cattle, horses, dogs, hogs, sheep, and other domestic animals, and would cure all and several of the said animals of all types and varieties of scab, foot rot, Texas fever, hog cholera, and all other infectious or contagious diseases with which such animals might be affected; would, when used as directed, keep away flies and all other insects that annoy man, destroy all of the dangerous consequences of the stings or bites of fleas, mosquitoes, and all other stinging or biting insects; would, when used as directed, protect plants from plant lice, ants, bugs, and all other insects and diseases; and would, when used as directed, disinfect cesspools; whereas, in fact and in truth, the article was poisonous in solution; it would not, when used as directed, destroy germs of every infectious disease, would not destroy all foul odors, and would not prevent, and would not stamp out, typhoid fever, cholera, diphtheria, bubonic plague, consumption, grippe, small pox, and all other dangerous, infectious, or contagious diseases; would not, when used as directed, be curative of, would not relieve, and would not heal all kinds of sores, all types and varieties of eczema and all other affections of the scalp and skin; would not, when used as directed, keep healthy cattle, horses, dogs, hogs, sheep and other domestic animals, would not cure all and several of the said animals of all types and varieties of scab, foot rot, Texas fever, hog cholera, and all other infectious or contagious diseases with which such animals might be affected; would not, when used as directed, keep away flies and all other insects that annoy man, and would not destroy all of the dangerous consequences of the stings and bites of fleas, flies, mosquitoes, or all other stinging or biting insects; would not, when used as directed, protect

plants from plant lice, ants, bugs, and all other insects and diseases; and would not, when used as directed, disinfect cesspools.

Misbranding of the article was alleged further in that said article did consist partially of an inert substance, to wit, water, which said inert substance does not prevent, destroy, repel, or mitigate insects or fungi, and the name and the percentage amount of the said inert ingredient so present in the article, were not stated plainly and correctly, or at all, on each or any label affixed to each or any of the cans containing the article; nor, in lieu of the name and percentage amount of the said inert ingredient, were the names and percentage amounts of each and every ingredient of the article having insecticidal or fungicidal properties, and the total percentage of the inert ingredient so present in the article, stated plainly and correctly on each or any label affixed to each or any of the cans containing the article.

On February 1, 1922, a plea of guilty to the information having been entered, the Court imposed a fine of \$50.00.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

S13. Adulteration and misbranding of "Germ Free Disinfectant". U. S. v. Warren Refining and Chemical Company (Chemical Supply Co.). Plea of guilty. Fine, \$30.00. (I. & F. No. 868. Dom. No. 15160.)

On June 1, 1920, the United States Attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Warren Refining and Chemical Co., a corporation, Cleveland, O., doing business under the style and firm name of Chemical Supply Co., alleging the shipment by defendant on or about May 6, 1919, from the State of Ohio into the State of Virginia, of a quantity of "Germ Free Disinfectant", which was an adulterated and misbranded fungicide, within the meaning of the Insecticide Act of 1910.

Adulteration of the article was alleged in the information in that the statements, to wit, "Germ Free Disinfectant. Inert Matter 8% water", borne on the barrel containing the article, did purport and profess that the standard and quality of the article were such that the article did contain inert matter, that is to say, a substance or substances that do not prevent, destroy, repel, or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in the proportion of 8 per centum, and that the article did contain a substance or substances that do prevent, destroy, repel, or mitigate, fungi, to wit, pathogenic and putrefactive bacteria, in the proportion of 92 per centum; whereas, the strength and purity of the article fell below the professed standard and quality under which it was sold, in that, in fact and in truth, the article did contain inert matter in a proportion greater than 8 per centum, and did contain a substance or substances that do prevent, destroy, repel, or mitigate, fungi, in a proportion less than 92 per centum.

Misbranding of the article was alleged in the information in that the article did consist partially of inert substances or ingredients, to wit, water and mineral oil, which said inert substances do not prevent, destroy, repel, or mitigate fungi, to wit, pathogenic and putrefactive bacteria, and the names and percentage amounts of each and every one of the said inert substances or ingredients so present in the article, were not stated plainly and correctly on the label affixed to the barrel containing the article; nor, in lieu of the names and percentage amounts of said inert substances or ingredients, were the names and percentage amounts of each and every ingredient of the article having fungicidal properties, and the total percentage of said inert ingredients so present in the article, stated plainly and correctly on the label affixed to the barrel containing the article.

On January 28, 1922, a plea of guilty to the information having been entered on behalf of the defendant, the court imposed a fine of \$30.00.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

S14. Misbranding of "Germ Free Disinfectant". U. S. v. Warren Refining and Chemical Co. (Chemical Supply Co.). Plea of guilty. Fine, \$30.00. (I. & F. No. 869. Dom. No. 15161.)

On June 1, 1920, the United States Attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against the Warren Refining and Chemical Co., a corporation, doing business under the style and

name of Chemical Supply Co., Cleveland, O., alleging the shipment by defendant on or about May 6, 1919, from the State of Ohio into the State of Virginia, of a quantity of "Germ Free Disinfectant," which was a misbranded fungicide, within the meaning of the Insecticide Act of 1910.

Misbranding of the article was alleged in the information in that the statements, to wit, "Germ Free Disinfectant. Inert Matter 8% Water," borne on the labels affixed to the cans containing the article, were false and misleading, and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements represented that the article did contain water in the proportion of 8 per centum, and in that the said statement represented that the article did contain inert matter, that is to say, a substance, or substances, that do not prevent, destroy, repel, or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in the proportion of 8 per centum, and in that said statements represented that the article did contain an ingredient, or ingredients, that do prevent, destroy, repel, or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in the proportion of 92 per centum; whereas, in fact and in truth, the article did contain water in a proportion greater than 8 per centum, the article did contain inert matter in a proportion greater than 8 per centum, and did contain a substance, or substances, that prevent, destroy, repel, or mitigate fungi, in a proportion less than 92 per centum.

Misbranding of the article was alleged further in that the article did consist partially of inert substances, or ingredients, to wit, water and mineral oil, which said inert substances or ingredients do not prevent, destroy, repel, or mitigate fungi, to wit, pathogenic and putrefactive bacteria, and the names and percentage amounts of each and every one of said inert ingredients so present in the article were not stated plainly and correctly on the labels affixed to the cans containing the article; nor, in lieu of the names and percentage amounts of the said inert ingredients, were the names and percentage amounts of each and every ingredient of the article having fungicidal properties, and the total percentage of the said inert ingredients so present in the article, stated plainly and correctly on the labels affixed to the cans containing the article.

On January 28, 1922, a plea of guilty to the information having been entered on behalf of the defendant, the court imposed a fine of \$30.00.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

\$15. Adulteration and misbranding of "Disinfectant". U. S. v. Warren Refining and Chemical Co. (Chemical Supply Co.). Plea of guilty. Fine, \$30.00. (I. & F. No. 930. Dom. No. 15577.)

On November 1, 1920, the United States Attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against the Warren Refining and Chemical Co., a corporation, doing business under the name and style of the Chemical Supply Co., Cleveland, O., alleging the shipment by defendant on or about January 24, 1919, from the State of Ohio into the State of New Hampshire, of a quantity of "Disinfectant," which was an adulterated and misbranded fungicide, within the meaning of the Insecticide Act of 1910.

Adulteration of the article was alleged in the information in that the defendant did send and deliver to the purchaser a certain statement of account, or invoice, relating to the article, which said statement of account, or invoice, did describe and designate the article as "Coal Tar Dip and Disinfectant No. 1," which said words did purport and profess that the article was composed completely and exclusively of oils derived or produced from coal tar, and of phenols, soap and water; whereas, the strength and purity of the article fell below the professed standard and quality under which it was sold, in that, in fact and in truth, the article did contain, and did consist partially of, a substance other than oil derived or produced from coal tar and other than phenols, soap and water, to wit, a certain mineral oil.

Adulteration of the article was alleged further in that a certain statement of account, or invoice, relating to the article, was sent by defendant to the purchaser, wherein defendant did describe and designate the article as "Coal Tar Dip and Disinfectant No. 1," which words did purport and profess that the article was composed completely and exclusively of oils derived or produced from coal tar, and of phenols, soap and water; whereas, in fact and in truth, a substance other than oils derived or produced from coal tar, and other than phenols, soap and water, to wit, a certain mineral oil, had been substituted in part for the article.

Misbranding of the article was alleged in the information in that the statements, to wit, "For Out Door Closets and Garbage Receptacles. Sprinkle thoroughly with one part of Disinfectant to 250 parts water. This solution will aid in destroying * * * germs in cesspools, vaults, etc. * * * To Aid in Disinfecting Ships and Cars, ferryboats, emigrant vessels, stock cars and yards, sprinkle and wash floors, bunks and walls thoroughly with one part Disinfectant to 250 parts water. For Flushing sewers, stables, cellars, etc., and for sprinkling streets during epidemics of contagious diseases, use one part Disinfectant to 250 parts water, as a preventive measure. * * * For Household Uses—To Aid in Disinfecting Water Closets, flush the hopper each day with one part Disinfectant to 250 parts water. Use freely in sinks, urinals, drains, etc.," borne on the labels affixed to the cans containing the article, were false and misleading, and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements represented that the article, when used as directed, would aid in destroying germs in cesspools and vaults; would aid in disinfecting ships, cars, ferry boats, emigrant vessels, stock cars and yards; would be a preventive measure during epidemics of contagious diseases; and would aid in disinfecting water closets, sinks, urinals and drains; whereas, in fact and in truth, the article, when used as directed, would not aid in destroying germs in cesspools and vaults; would not aid in disinfecting ships, cars, ferry boats, emigrant vessels or stock cars and yards; would not be a preventive measure during epidemics of contagious diseases; nor would it aid in disinfecting water closets, sinks, urinals or drains.

On January 28, 1922, a plea of guilty to the information having been entered on behalf of defendant, the court imposed a fine of \$30.

C. W. PUGSLEY,

Acting Director of Agriculture.

S16. Adulteration and misbranding of "Soluble Pine Compound". U. S. v. Warren Refining and Chemical Co. (Chemical Supply Company). Plea of guilty. Fine, \$30.00. (I. & F. No. 965. Dom. No. 15862.)

On March 26, 1921, the United States Attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against the Warren Refining and Chemical Co., a corporation, doing business under the name and style of Chemical Supply Co., Cleveland, O., alleging the shipment by defendant on or about March 8, 1920, from the State of Ohio into the State of Colorado, of a quantity of "Soluble Pine Compound", which was an adulterated and misbranded fungicide, within the meaning of the Insecticide Act of 1910.

Adulteration of the article was alleged in the information in that the statements, to wit, "Soluble Pine Compound. Inert matter 9%," borne and stenciled on the drum containing the article, purported and professed that the standard and quality of the article were such that the article did contain inert matter, that is to say, a substance, or substances that do not prevent, destroy, repel, or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in the proportion of 9 per centum, and that the article did contain a substance, or substances, which do prevent, destroy, repel, or mitigate fungi, in the proportion of 91 per centum; whereas, the strength and purity of the article fell below the professed standard and quality under which it was sold, in that the article did contain inert matter in a proportion greater than 9 per centum, and did contain a substance, or substances, which do prevent, destroy, repel, or mitigate fungi, in a proportion less than 91 per centum.

Misbranding of the article was alleged in substance in that the said statements borne and stenciled on the drum containing the article, were false and misleading, and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements represented that the article did contain inert matter, that is to say, a substance, or substances, that do not prevent, destroy, repel, or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in the proportion of 9 per centum, that the article did contain a substance or substances, that do prevent, destroy, repel, or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in the proportion of 91 per centum, and that the article was composed entirely of a substance, or substances obtained and produced from pine trees, together with soap and water; whereas, in fact and in truth, the article did contain inert matter in a proportion greater than 9 per centum, did contain substances and ingredients that do prevent, destroy, repel, or mitigate fungi, in a proportion less than 91 per centum, and the article was not a soluble pine compound.

that is to say, the article was not composed entirely of a substance, or substances, obtained and produced from pine trees, together with soap and water, but there was mixed with the said pine oil and soap and water a large proportion of mineral oil.

Misbranding of the article was alleged further in that the article did consist partially of inert substances, or ingredients, to wit, water and mineral oil, which said inert substances and ingredients do not prevent, destroy, repel, or mitigate fungi, to wit, pathogenic and putrefactive bacteria, and the names and percentage amounts of each and every one of the said inert substances or ingredients so present in the article, were not stated plainly and correctly on the said drum or on any label affixed thereto; nor, in lieu of the names and percentage amounts of the said inert substances or ingredients, were the names and percentage amounts of each and every substance or ingredient of the article having fungicidal properties, and the total percentage of said inert substances or ingredients so present in the article, stated plainly and correctly on the drum containing the article or on any label affixed thereto.

Misbranding of the article was alleged further in that the defendant did send and deliver to the purchaser an invoice, inventory, or bill of sale, in which said invoice, inventory, or bill of sale, the defendant did designate and describe the article as "Soluble Pine Oil Disinfectant", which said words and description represented, purported and professed that the article was soluble pine oil disinfectant, that is to say, the article was composed entirely of pine oil and soap and water; whereas, in fact and in truth, the article was not soluble pine oil disinfectant, but it was an imitation of soluble pine oil disinfectant and was offered for sale and was sold under the name of another article, to wit, soluble pine oil disinfectant.

On January 25, 1922, a plea of guilty to the information having been entered on behalf of the defendant, the court imposed a fine of \$30.00.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

S17. Adulteration and misbranding of "A. D. S. Roach Powder". U. S. v. American Druggists Syndicate. Plea of guilty. Fine, \$50. (I. & F. No. 1006. Dom. No. 15752.)

On May 31, 1921, the United States Attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the American Druggists Syndicate, a corporation, Long Island City, N. Y., alleging the shipment by defendant on or about March 11, 1920, from the State of New York into the State of Virginia, of a quantity of "A. D. S. Roach Powder", which was an adulterated and misbranded insecticide, within the meaning of the Insecticide Act of 1910.

Adulteration of the article was alleged in the information in that the statements, to wit, "Sodium Fluoride 40% Borax 17% Inert Ingredients 43%", borne on the labels affixed to the cans containing the article, purported and professed that the standard and quality of the article were such that the article did contain sodium fluoride in the proportion of 40 per centum and did contain borax in the proportion of 17 per centum, which said substances are effective in preventing, destroying, repelling and mitigating roaches and water bugs, and the article did contain inert ingredients, that is to say, substances or ingredients that do not prevent, destroy, repel or mitigate roaches and water bugs, in the proportion of not more than 43 per centum; whereas, the strength and purity of the article did fall below the professed standard and quality under which it was sold, in that, in fact and in truth, the article did contain sodium fluoride in the proportion of less than 40 per centum and did contain borax in the proportion of less than 17 per centum and did contain inert ingredients in a proportion greater than 43 per centum.

Misbranding of the article was alleged, in that the above-quoted statements, borne on the labels affixed to the cans containing the article, were false and misleading, and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements did represent and profess that the article did contain sodium fluoride in the proportion of 40 per centum and did contain borax in the proportion of 17 per centum and did contain inert ingredients, that is to say, substances and ingredients that do not prevent, destroy, repel or mitigate roaches and water bugs, in the proportion of not more than 43 per centum; whereas, in fact and in truth, the article did contain sodium fluoride in a proportion

less than 40 per centum and did contain borax in a proportion less than 17 per centum and did contain inert ingredients in a proportion greater than 43 per centum.

Misbranding of the article was alleged further, in that it did consist partially of inert substances or ingredients, to wit, substances other than sodium fluoride and borax, which said inert substances or ingredients do not prevent, destroy, repel or mitigate insects, and the names and percentage amounts of each and every one of said inert substances or ingredients so present in said article, were not stated plainly and correctly on each or any label affixed to each or any of the cans containing the article; nor, in lieu of the names and percentage amounts of the said inert substances or ingredients, were the names and percentage amounts of each and every ingredient of the article having insecticidal properties, and the total percentage of the said inert ingredients so present in the article, stated plainly and correctly on each or any label affixed to each or any of the cans containing the article.

On February 1, 1922, a plea of guilty to the information having been entered on behalf of the defendant, the court imposed a fine of \$50.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

**S18. Adulteration and misbranding of "Silver Brand Insect Powder".
U. S. v. One Barrel of "Silver Brand Insect Powder". Default decree of condemnation, forfeiture and destruction. (I. & F. No. 1091.
S. No. 133.)**

On September 19, 1921, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States for said district a libel praying condemnation and forfeiture of one barrel of "Silver Brand Insect Powder". It was alleged in the libel that the article had been shipped, on or about July 20, 1921, by McCormick & Company, Inc., Baltimore, Md., from the State of Maryland into the State of Alabama, and having been so transported it remained unsold at Mobile, Ala., and that it was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

Adulteration of the article was alleged in the libel, in that the words, to wit, "Insect Powder", in the label borne on the barrel containing the article did purport and profess that the standard and quality of the article were such that the article did consist entirely of insect powder, to wit, powdered pyrethrum flower tissues; whereas, the strength and purity of the article fell below the professed standard and quality under which it was sold, in that, in fact and in truth, the article did not consist entirely of insect powder, but it did consist of a mixture of insect powder and powdered daisy flower tissues.

Adulteration of the article was alleged further, in that the words, to wit, "Insect Powder", in the label borne on the said barrel, purported to represent that the article did consist entirely of insect powder, to wit, powdered pyrethrum flower tissues; whereas, in fact and in truth, the article did not consist entirely of insect powder, but another substance, to wit, powdered daisy flower tissues, had been substituted in part for the insect powder.

Misbranding of the article was alleged, in that the words, to wit, "Insect Powder ground from open insect flowers," in the label borne on the said barrel, were false and misleading and by reason of said words, the article was labeled and branded so as to deceive and mislead the purchaser, in that the said words represented and professed that the article did consist entirely of insect powder, to wit, powdered pyrethrum flower tissues; whereas, in fact and in truth, the article did not consist entirely of insect powder, but it did consist of a mixture of insect powder and powdered daisy flower tissues.

Misbranding of the article was alleged further, in that it did consist partially of an inert substance, to wit, powdered daisy flower tissues, which said inert substance does not prevent, destroy, repel, or mitigate insects, and the name and percentage amount of the said inert substance so present in the article, were not stated plainly and correctly, or at all, on any label borne on or affixed to the barrel containing the article; nor, in lieu of the name and percentage amount of the said inert substance, where the names and percentage amounts of each and every substance or ingredient of the article having insecticidal properties, and the total percentage of the said inert substance so present in the article, stated plainly and correctly on any label borne on or affixed to the barrel containing the article.

On May 20, 1922, no claimant having appeared for the goods, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product be destroyed by the United States Marshal.

C. W. PUGSLEY,
Acting Secretary of Agriculture.

S19. Adulteration and misbranding of "Gold Coin Lice Killer". U. S. v. Christian A. Lund (Gold Coin Chemical Works). Plea of guilty. Fine, \$10.00. (I. & F. No. 1013. Dom. Nos. 15074, 15075, and 15076.)

On December 13, 1921, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Christian A. Lund, trading under the name and style of Gold Coin Chemical Works, St. Paul, Minnesota, alleging shipment by the said defendant on or about May 12, 1919, from the State of Minnesota into the State of Washington, of a quantity of "Gold Coin Lice Killer," contained in gallon, half-gallon, and quart cans, which was an adulterated and misbranded insecticide and fungicide, within the meaning of the Insecticide Act of 1910.

Adulteration of the article contained in the gallon cans was alleged in the information in that the statement, to wit, "Composed of the following ingredients and none others: Meta-Cresol, Para-Cresol, Ortho-Cresol, Phenols, Benzols, Sulphur, Coal-Tar Creosote and its derivatives," borne on the labels affixed to said cans, purported and professed that the standard and quality of the article were such that the article was composed of the above-named ingredients and none others; whereas, the strength and purity of the article fell below the professed standard and quality under which it was sold, in that, in fact and in truth, the article was not composed of the aforesaid ingredients and none others, but it did contain, and did consist partially of, another substance, to wit, kerosene. Adulteration of the article contained in the said gallon cans was alleged further in that the statement above quoted, borne on the labels affixed to said cans, represented and professed that the article was composed of the above-named ingredients and none others; whereas, in fact and in truth, another substance, to wit, kerosene, had been substituted in part for the article.

Misbranding of the article contained in the gallon cans was alleged in that the statement quoted above, borne on the labels affixed to said cans, was false and misleading, and by reason of the said statement the article was labeled and branded so as to deceive and mislead the purchaser, in that the statement represented that the article did consist only of the above-named ingredients and none others; whereas, in fact and in truth, the article did not consist of the above-named ingredients only, but did consist mainly of mineral oil, to wit, kerosene, and did not contain sulphur.

Misbranding of the article contained in all of the cans involved in the shipment was alleged further in that the statements, to wit, "For general use as a disinfectant * * * Gold Coin Lice Killer may be diluted by adding kerosene * * * In addition to killing all lice, it disinfects thoroughly * * *," borne on the labels affixed to said cans were false and misleading and by reason of said statement the article was labeled and branded so as to mislead and deceive the purchaser, in that said statements represented and professed that the article would serve as a practical disinfectant, when diluted with kerosene, and would disinfect thoroughly, when used as directed; whereas, the article would not serve as a practical disinfectant, when diluted with kerosene and would not disinfect thoroughly, when used as directed.

Misbranding of the article contained in the gallon and the quart cans was alleged further, in that the statements, to wit,

"FOR LICE ON POULTRY—Paint, spray or sprinkle on roosts and walls * * *. To paint on wide board nailed on bottom of roosts is a successful plan. * * * Young chicks * * * Put them in a place where there is just a little of the vapor mixed in the air and leave them there but a short time. * * * FOR DUCKS AND GEESE—It is best to place them in an enclosure over night and paint or sprinkle on lower part of the wall. * * * FOR FRUIT TREES—Soak heavy or thick pieces of cloth or corn cobs attached to cords with Gold Coin Lice Killer and tie the cords to branches of trees during budding and blossoming season. Re-saturate cloths or corn cobs once a week by means of a can or pail attached to a pole. Also saturate heavy cloth and fasten around the tree below the limbs to keep off crawlers.

* * * For body lice, fruit trees, or other uses where it requires vapor to do the work there is no economy in diluting and should be used full strength. **FOR DESTROYING LICE ON FARM ANIMALS** * * * **LICE** cannot live after breathing the vaporous gas thrown off by Gold Coin Lice Killer. **FOR HOGS**—In hog houses or sheds, paint or sprinkle Gold Coin Lice Killer on the partitions and walls, on outside of troughs, on the floor under a little bedding, and sprinkle or paint sides of swill barrels. The vaporous gas needs to come in contact with the lice. Repeat in a week. If you have no hog house or shed paint or sprinkle the outside of troughs and swill barrels, sprinkle under a little bedding in sleeping places, and repeat in a week. Also paint old blankets or gunny sacks tied around rubbing posts. * * * **FOR CALVES, CATTLE AND HORSES.** * * * **FOR SHEEP AND GOATS.** * * *”, borne on the labels affixed to said cans were false and misleading, and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements represented and professed that the article would, when used as directed, be an effective remedy against lice on poultry, young chicks, ducks and geese; would be an effective remedy against lice and crawlers on fruit trees, when used as directed; would be an effective remedy against body lice on poultry, when applied to the roosts and dropping boards; and would, when used as directed, be effective against lice on hogs, calves, horses, cattle, sheep, goats and other farm animals; whereas, in fact and in truth, the article would not serve as a practical disinfectant, when diluted with kerosene, and would not disinfect thoroughly, when used as directed; would not, when used as directed, be an effective remedy against lice on poultry, young chicks, ducks or geese; would not be an effective remedy against lice and crawlers on fruit trees, when used as directed; would not be an effective remedy against body lice on poultry, when applied to the roosts and dropping boards; would not, when used as directed, be effective against lice on hogs, calves, horses, cattle, sheep, goats and other farm animals.

Adulteration of the article contained in the half-gallon cans was alleged, in that the statement, to wit, “Composed of the following ingredients and none others: (Meta-Cresol, Para-Cresol, Ortho-Cresol, Phenols, Benzols, Cresol, Phenois, Ortho-Cresol, Benzols, Para-cresol, Benzols, Para-Cresol, Sulphur, Coal-Tar Creosote and its derivatives”, borne on the labels affixed to the said cans, purported and professed that the standard and quality of the article were such that the article was composed of the above-named ingredients and none others; whereas, the strength and purity of the article fell below the professed standard and quality under which it was sold, in that, in fact and in truth, the article was not composed of the aforesaid ingredients and none others, but it contained, and did consist partially of, another substance, to wit, kerosene. Adulteration was alleged further, in that the statement quoted above represented and professed that the article contained in said half-gallon cans was composed of the above-named ingredients and none others; whereas, in fact and in truth, another substance, to wit, kerosene, had been substituted in part for the article.

Misbranding of the article contained in the half-gallon cans was alleged further in that the statement, to wit, “One-half Gallon”, borne on the labels affixed to each of said cans, operated to state that the content of each of said cans was, in terms of measure, one-half gallon of the article; whereas, the content of each of the said cans was not correctly stated on the outside of each of said cans, in that, in fact and in truth, the content of each of said cans was, in terms of measure, less than one-half gallon of the article.

Misbranding of the article contained in the half-gallon cans was alleged further, in that the statement, to wit, “Composed of the following ingredients and none others: Cresol, Phenols, Ortho-Cresol, Benzols, Para-Cresol, Sulphur, Coal-Tar Creosote and its derivatives”, borne on each of said cans, was false and misleading, and by reason of the said statement the article was labeled and branded so as to deceive and mislead the purchaser, in that said statement represented that the article did consist of the above-named ingredient only; whereas, in fact and in truth, the article did not consist of the above-named ingredients only, but did consist mainly of mineral oil, to wit, kerosene, and did not contain sulphur.

Misbranding of the article contained in the half-gallon cans was alleged further, in that the statements, to wit, “It is the Best and Most Effective Lice Killer on the Market. It is sure death to all vermin on Poultry, * * * **MITES, CHICKEN LICE, ETC.**—Paint, spray or sprinkle Gold Coin Lice

Killer" about the poultry house, especially on the roosts, in nest boxes, and in all cracks and crevices. Apply to roosts as often as once a month. **FOR BODY LICE ON FOWLS**—Allow the fowls to roost over and close to a wide board painted with "Gold Coin Lice Killer". This may be done by nailing a wide board up under each roost. * * * **FOR FRUIT TREES**.—Dip corn cobs or pieces of cloth in "Gold Coin Lice Killer" and hang them on the branches during the budding and blossoming season. Resaturate once a week by means of a can or pail tied to the end of a pole so you can moisten the rags or cobs without removing them from the tree. Paint a ring around the trunk of the tree near the ground to keep off crawlers. * * * For body lice, for fruit trees, or for other uses where it required the vapor to do the work there is no economy in diluting and it should be used full strength. **FOR HOGS**—* * * Sprinkle "Gold Coin Lice Killer" in the trough and swill barrels once a week to kill parasites and disease germs. "Gold Coin Lice Killer" is a positive preventative of cholera, worms and disease.

It is the Best and Most Effective Lice Killer on the Market. It is sure death to all vermin on poultry, hogs and all domestic animals * * * **FOR HOGS** * * * **FOR SHEEP AND GOATS** * * * **FOR HORSES, CATTLE, CALVES, ETC.** * * *, borne on the labels affixed to the said cans, represented and professed that the article, when used as directed, would be an effective remedy against chicken lice, all vermin and body lice on poultry and fowls, all other insects that infest poultry or poultry houses that might be indicated and included under the abbreviation "etc.", and lice and crawlers on fruit trees; would, when used as directed, be effective against all types and varieties of parasites and disease germs that affect hogs, would be a positive preventative for cholera in hogs, would be a positive preventative against all types and varieties of worms that infest hogs, and would be a positive preventative of all types and varieties of diseases that affect hogs; would, when used as directed, be effective against lice on hogs, sheep, goats, horses, cattle, calves, all domestic animals and the animals that might be indicated and included under the abbreviation "etc."; whereas, in fact and in truth, the article, when used as directed, would not be an effective remedy against chicken lice, all vermin and body lice on poultry and fowls, all other insects that infest poultry or poultry houses that might be indicated and included under the abbreviation "etc.", and lice and crawlers on fruit trees; would not, when used as directed, be effective against all types and varieties of parasites and disease germs that affect hogs, would not be a positive preventative against all types and varieties of worms that infest hogs, and would not be a positive preventative of all types and varieties of diseases that affect hogs; would not, when used as directed, be effective against lice on hogs, sheep, goats, horses, cattle, calves, all domestic animals and the animals that might indicated and included under the abbreviation "etc."

On December 13, 1921, a plea of guilty to the information having been entered, the court imposed a fine of \$10.00.

C. W. PUGSLEY,
Acting Secretary of Agriculture.

520. Adulteration and misbranding of Bordeaux Mixture. U. S. * * * v. William P. Wood, Thomas Whittet, Robert W. Wood and Gordon F. Wood (T. W. Wood and Sons). Tried to the court. Verdict of guilty. Fine \$10. (I. & F. No. 1045. Dom. No. 14784.)

On March 4, 1922, the United States Attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against William P. Wood, Thomas Whittet, Robert W. Wood, and Gordon F. Wood, trading as T. W. Wood & Sons, Richmond, Va., alleging shipment by said defendants, in violation of the Insecticide Act of 1910, on or about February 4, 1919, from the State of Virginia into the State of Georgia, of a quantity of "Bordeaux Mixture," which was an adulterated and misbranded fungicide within the meaning of said act.

Adulteration of the article was alleged in the information for the reason that the statements, to wit, "Active Ingredient Copper 4 to 6%, Inactive Ingredients 94 to 96%," borne on each of the labels affixed to each of the cans containing the said article, purported and professed that the standard and quality of the said article were such that it contained an active ingredient, to wit, copper in combination or combinations thereof, in a proportion of not less than 4 per centum, and that it contained inert ingredients, that is to say, ingredients or

substances that do not prevent, destroy, repel or mitigate fungi, in a proportion of not more than 96 per centum; whereas, the strength and purity of the said article fell below the said professed standard and quality under which it was sold, in that, in fact and in truth, it did contain copper in combination or combinations thereof, in a proportion of less than 4 per centum and did contain inert ingredients or substances in a proportion greater than 96 per centum.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Active Ingredient Copper 4 to 6% Inactive Ingredients 94 to 96%," borne and printed on each of the labels affixed to each of the said cans were false and misleading and by reason thereof the said article was labeled and branded so as to deceive and mislead the purchaser in that they represented and professed that the article contained an active ingredient, to wit, copper in combination or combinations thereof, in a proportion of not less than 4 per centum and contained inactive ingredients in a proportion not greater than 96 per centum, whereas, in fact and in truth, the said article did contain copper in a proportion less than 4 per centum and did contain inactive ingredients, in a proportion greater than 96 per centum.

Misbranding was alleged for the further reason that the article consisted partially of inert substances or ingredients, to wit, substances other than copper in combination or combinations thereof, which said inert substances or ingredients do not prevent, destroy, repel or mitigate fungi, and the name and percentage amount of each and every one of the said inert substances or ingredients so present in the said article were not stated plainly and correctly, on each or any label affixed to each or any of the cans containing the said article, nor in lieu thereof were the name and the percentage amount of the substance or ingredient of the said article having fungicidal properties, and the total percentage of the said inert substances or ingredients so present in the said article, stated correctly on each or any label affixed to each or any of the said cans.

On April 12, 1922, the case came on for hearing before the court without a jury. After the submission of evidence and arguments by counsel the court found the defendants guilty and imposed a fine of \$10.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

§21. Misbranding of "Heureka Worm Capsules". U. S. v. Max Lorenz (The Breeders' Remedy Company). Plea of guilty. Fine, \$50.00. (I. & F. No. 1047. Dom. No. 15662.)

On December 15, 1921, the United States Attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against Max Lorenz, trading under the style and firm name of The Breeders' Remedy Company, Milwaukee, Wisconsin, alleging the shipment by defendant on or about October 20, 1920, from the State of Wisconsin into the State of Pennsylvania, of a quantity of "Heureka Worm Capsules", which was a misbranded insecticide, within the meaning of the Insecticide Act of 1910.

Misbranding of the article was alleged in the information, in that the statements, to wit, "Heureka Worm Capsules * * * An effective remedy for BOTS and other worms in horses. Is a time tried remedy, which has been used by thousands of horse owners with gratifying results. If your horse shows symptoms of worms, indicated by roughness of hair, laziness, fretfulness, etc., you should not fail to try this medicine", borne on the labels affixed to the cans containing the article, were false and misleading, and by reason of said statements, the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements indicated, purported and represented that the article, when used as directed, was an effective remedy for bots and other worms in horses; whereas, in fact and in truth, the article, when used as directed, would not be an effective remedy for bots and other worms in horses.

Misbranding of the article was alleged further in that the statement, to wit, "Heureka worm Capsules. An effective remedy for BOTS and other stomach worms in horses", borne on the circulars packed and contained in the cans with the article, was false and misleading, and by reason of the said statement the article was labeled and branded so as to deceive and mislead the purchaser, in that said statement represented and purported that the article, when used as directed, was an effective remedy for bots and other stomach worms in

horses; whereas, in fact and in truth, the article, when used as directed, was not an effective remedy for bots and other stomach worms in horses.

On January 24, 1922, a plea of guilty to the information having been entered, the Court imposed a fine of \$50.00.

C. W. PUGSLEY,
Acting Secretary of Agriculture.

S22. Misbranding of "Rust's Lice Liquid." U. S. v. William P. Wood, Thomas Whittet, Robert W. Wood and Gordon F. Wood (T. W. Wood & Sons). Tried to the court. Verdict of guilty. Fine \$10. (I. & F. No. 1051. Dom. Nos. 16129, 16267.)

On March 4, 1922, the United States Attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against William P. Wood, Thomas Whittet, Robert W. Wood and Gordon F. Wood, trading as T. W. Wood & Sons, Richmond, Va., alleging shipment by said defendants, in violation of the Insecticide Act of 1910, on or about January 21 and August 26, 1920, respectively, from the State of Virginia into the States of Connecticut and New Hampshire, respectively, of quantities of "Rust's Lice Liquid" which was a misbranded insecticide and fungicide within the meaning of said act.

Misbranding of the article was alleged in the information for the reason that the statements regarding the said article, to wit, "1 Quart" and "1 Gallon," borne and printed on the respective labels affixed to the cans containing the said article, operated to state that the contents of each of the said cans were in terms of measure one quart or one gallon, as the case might be, of the said article, whereas, the contents of each of the said cans were not correctly stated on the outside thereof, in that, in fact and in truth, the contents of each of the said cans were in terms of measure less than one quart or less than one gallon.

Misbranding was alleged for the further reason that certain statements, regarding the article, to wit, "Rust's Lice Liquid * * * For disease germs, spray Rust's Lice Liquid into all cracks and crevices or wherever decayed matter, disease germs or vermin might be. As a disinfectant to destroy bad odors, expose some of the liquid in shallow pans and place around the room or building."

"Excellent for use in barns, stables, hen houses, and for vermin * * * For lice, * * * etc., paint, spray or sprinkle Rust's Lice Liquid on the roosts, roost supports, nest boxes, dropping boards and in all cracks and crevices * * * For vermin on horses and cattle, sprinkle the liquid on an old blanket and tie it over the animal for an hour or two." borne on each of the labels affixed to each of the cans containing the said article, were false and misleading, and by reason thereof the article was labeled and branded so as to deceive and mislead the purchaser in that they represented and professed that the said article would be effective against all disease germs and that when used as directed it would act as a disinfectant and would destroy all bad odors, that it would be effective against all types and varieties of vermin on horses and cattle, would be effective against all vermin, and was an effective remedy against all vermin in barns, stables and hen houses and would be an effective remedy against lice and all other insects that might be included under the abbreviation "etc.," whereas, in fact and in truth it would not be effective against all disease germs and when used as directed would not act as a disinfectant, would not destroy all bad odors, would not be effective against all types and varieties of vermin on horses and cattle, would not be effective against all vermin, was not an effective remedy against all vermin in barns, stables and hen house and would not be an effective remedy against lice and all other insects that might be included under the abbreviation "Etc."

Misbranding was alleged for the further reason that the article consisted partially of inert substances or ingredients, that is to say substances, that do not prevent, destroy, repel or mitigate insects or fungi, and the name and the percentage amount of each and every one of the said inert ingredients or substances so present in the said article were not stated plainly and correctly on each or any label affixed to each or any of the cans containing the article, nor, in lieu of the names and percentage amounts of the said inert ingredients or substances, were the names and percentage amounts of each and every substance or ingredient of the article having insecticidal or fungicidal properties,

and the total percentage of the said inert ingredients so present therein stated plainly and correctly on each or any label affixed to each or any of the said cans.

On April 12, 1922, the case came on for hearing before the court without a jury. After the submission of evidence and arguments by counsel the court found the defendants guilty and imposed a fine of \$10.

C. W. PUGSLEY,
Acting Secretary of Agriculture.

823. Misbranding of "Knox Nest Eggs." U. S. * * * v. William P. Wood, Thomas Whittet, Robert W. Wood and Gordon F. Wood (T. W. Wood & Sons). Tried to the court. Verdict of guilty. Fine \$10. (I. & F. No. 1063. Dom. No. 16120.)

On February 15, 1922, the United States Attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William P. Wood, Thomas Whittet, Robert W. Wood and Gordon F. Wood, trading as T. W. Wood & Sons, Richmond Va., alleging shipment by said defendants, in violation of the Insecticide Act of 1910, on or about August 28, 1920, from the State of Virginia into the State of Connecticut, of a quantity of "Knox Nest Eggs", which was a misbranded insecticide and fungicide within the meaning of said act.

Misbranding of the article was alleged in the information for the reason that it consisted completely of an inert substance, which said inert substance [to wit, naphthalene] when used in the manner and form as aforesaid, does not prevent, destroy, repel or mitigate insects or fungi, and the name and percentage amount of the said inert substance so present in the said article was not stated plainly and correctly, or at all, on each or any of the said nest eggs or on each or any label affixed to each of the said nest eggs.

On April 12, 1922, the case came on for hearing before the court, without a jury. After the submission of evidence and arguments by counsel the court found the defendants guilty and imposed a fine of \$10.

C. W. PUGSLEY,
Acting Secretary of Agriculture.

824. Adulteration and misbranding of "No. 206 Miscible Pine Disinfectant." U. S. v. 7 drums of "No. 206 Miscible Pine Disinfectant." Judgment providing for release of product under bond. (I. & F. No. 1088. S. No. 131.)

On September 16, 1921, the United States Attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 7 drums of "No. 206 Miscible Pine Disinfectant." It was alleged in the libel that the article had been shipped by the Hunt Manufacturing Company, having a place of business at Cleveland, O., on or about June 8, 1921, from the State of Ohio into the State of Utah, and that having been so transported it remained unsold at Salt Lake City, Utah, and that it was an adulterated and misbranded fungicide, within the meaning of the Insecticide Act of 1910.

Adulteration of the article was alleged in the libel in that the statement, to wit, "Contains Inert Substance Water Not More Than 10 Per cent," in the labels borne on the drums containing the article, did purport and profess that the standard and quality of the article were such that the article did contain inert substances, that is to say, substances that do not prevent, destroy, repel or mitigate fungi, to wit, pathogenic and putrefactive bacteria, in a proportion of not more than 10 per centum; whereas, the strength and purity of the article fell below the professed standard and quality under which it was sold, in that, in fact and in truth, the article did contain inert ingredients in a proportion much greater than 10 per centum.

Misbranding of the article was alleged in the libel in that the article did consist partially of inert substances or ingredients, to wit, water and mineral oil, which said substances do not prevent, destroy, repel or mitigate fungi, to wit, pathogenic and putrefactive bacteria, and the names and percentage amounts of each and every one of said inert substances so present in the article, were not stated plainly and correctly on each or any label borne on or affixed to each or any of the drums containing the article; nor, in lieu of the names and percentage amounts of the said inert substances or ingredients, were the names and percentage amounts of each and every ingredient of the article

having fungicidal properties, and the total percentage of the said inert substances or ingredients so present in the article, stated plainly and correctly on each or any label borne on or affixed to each or any of the drums containing the article.

On February 23, 1922, the Hunt Manufacturing Company, Cleveland, O., having confessed judgment and having paid the costs of the proceedings and executed a good and sufficient bond in conformity with Section 10 of the Act, judgment was entered ordering that the product be released to the claimant for the purpose of relabeling the same.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

825. Adulteration and misbranding of "Wander's Chlorinated Lime". U. S. v. 600 cans of "Wander's Chlorinated Lime". Default decree of condemnation, forfeiture and destruction. (I. & F. No. 1089. S. No. 132.)

On September 19, 1921, the United States Attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the said district a libel praying the condemnation and forfeiture of 600, more or less, cans of "Wander's Chlorinated Lime." It was alleged in the libel that the article had been shipped on or about July 11, 1921, by S. Wander & Sons Chemical Company, Inc., having a place of business at Albany, N. Y., and that having been so transported it remained unsold at Salt Lake City, Utah, and that it was an adulterated and misbranded insecticide and fungicide, within the meaning of the Insecticide Act of 1910.

Adulteration of the article was alleged in the libel in that the statements, to wit, "Available Chlorine 30% Inert Ingredients 70%," borne on the labels affixed to the cans containing the article, purported and professed that the standard and quality of the article were such that the article did contain available chlorine in the proportion of not less than 30 per centum and that the article did contain inert ingredients, that is to say, substances that do not prevent, destroy, repel or mitigate insects or fungi, in the proportion of not more than 70 per centum; whereas, the strength and purity of the article fell below the professed standard and quality under which it was sold, in that, in fact and in truth, the article did contain available chlorine in a proportion less than 30 per centum and the article did contain inert ingredients in a proportion greater than 70 per centum.

Misbranding of the article was alleged, in that the above-quoted statements borne on the labels affixed to the cans containing the article, were false and misleading, and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements did represent and profess that the article did contain available chlorine in the proportion of not less than 30 per centum and that it did contain inert ingredients, that is to say, substances that do not prevent, destroy, repel or mitigate insects or fungi, in a proportion of not more than 70 per centum; whereas, in fact and in truth, the article did contain available chlorine in a proportion less than 30 per centum and it did contain inert ingredients in a proportion greater than 70 per centum.

Misbranding of the article was alleged further in that the statements, to wit, "For Purifying Vaults, Water Closets, Cesspools, Drains, Cellars, etc. * * * The use of Wander's Chlorinated Lime Sprinkled dry in outdoor vaults, on piles of stable manure, in garbage receptacles, or on decomposing animal or vegetable matter of all kinds, will not only destroy any germs of disease that may be present, * * * For Deodorizing and Disinfecting indoor closets, outside vaults, garbage receptacles, stable manure, and decaying animal and vegetable matter of all sorts, sprinkle Wander's Chlorinated Lime on lightly", borne on the labels affixed to the cans containing the article, were false and misleading, and by reason of said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that said statements did purport and represent that the article would purify vaults, water closets, cesspools, drains, cellars, etc.; that the article, when sprinkled dry in outdoor vaults, on piles of stable manure, in garbage receptacles, or on decomposing animal or vegetable matter of all kinds, would destroy all kinds of germs of disease that might be present; and that the article, when sprinkled lightly in indoor closets, outside

vaults, and garbage receptacles and upon stable manure and decaying animal and vegetable matter of all sorts, would deodorize and disinfect said places and things; whereas, in fact and in truth, the article would not purify vaults, water closets, cesspools, drains, cellars, etc.; would not, when sprinkled dry in outdoor vaults, on piles of stable manure, in garbage receptacles, or on decomposing animal or vegetable matter of all kinds, destroy all germs of disease that might be present therein; and would not, when sprinkled lightly in indoor closets, outside vaults and garbage receptacles, and upon stable manure and decaying animal and vegetable matter of all sorts, deodorize and disinfect such places and things.

On February 23, 1922, no claimant having appeared for the goods, judgment of condemnation and forfeiture was entered, and it was ordered that the goods be destroyed by the United States marshal.

C. W. PUGSLEY,
Acting Secretary of Agriculture.